

5

Women and Justice

Highlights

- Civil order protection filings jumped 3,264 percent, from 189 in 1990 to 6,358 in 2002.
- Domestic violence is a gender-based crime with 81.7 percent of the victims being female and 81.2 percent of the perpetrators being male.
- Between 1991 and 2002, Iowa law enforcement agencies saw a 150.6 percent increase in the number of reported sex offenses, from 890 to 2,230. The majority of those victims were female.
- In 1987, Iowa's female prison population was fewer than 125. By 2003, that number was 704.
- African-American women represent a disproportionate number of women who are incarcerated at the Iowa Correctional Institution for Women. While representing approximately two percent of the female population, they comprised 22 percent of the female prison population at the Iowa Correctional Institution for Women in June 2003.

—Chapter 5— Women and Justice

5.1 Introduction

Violence against women hinders them from achieving their full potential. In Iowa, the reported number of women who are victims of violent crimes, particularly domestic abuse and sexual assault, has risen overall in the past thirteen years. Iowa women are also committing more crimes than they were five years ago. The Iowa Correctional Institution for Women is housing more women now than ever before for drug-related crimes.

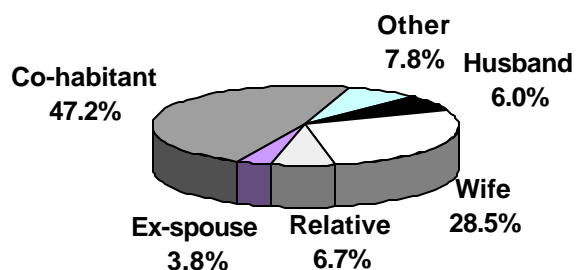
5.2 Domestic Violence

Domestic violence is a gender-based crime. Although both women and men can be victims of domestic abuse, the vast majority are women. In Iowa, 81.7 percent of victims were female and 81.2 percent of perpetrators were male, making domestic violence a gender-based crime in 2002.¹

Domestic violence crosses ethnic, racial, age, national origin, sexual orientation, and socioeconomic lines—with children often becoming the indirect victims. It is a pattern of abusive behavior used to control one's partner that includes physical violence or assault, isolation, intimidation, threats, economics, and forced sex.

Nationwide, in 2001, 691,710 nonfatal violent crimes were committed against persons by their intimate partners.² Domestic abuse not only includes violent behavior among people who live together, but also includes assault between separated or divorced spouses, couples who had lived together in the past year, relatives, two people with a child in common, and those in a dating relationship. (SEE FIGURE 5.1)

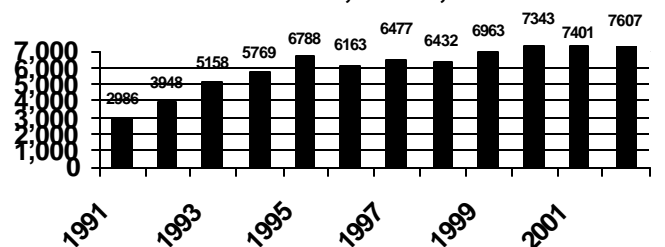
**Figure 5.1
RELATIONSHIP OF VICTIM TO OFFENDER
IN REPORTED DOMESTIC ABUSE CASES
IOWA, 2002**



SOURCE: Iowa Department of Public Safety

Domestic abuse reports to law enforcement officials increased 154.7 percent from 1991 to 2002. (SEE FIGURE 5.2)

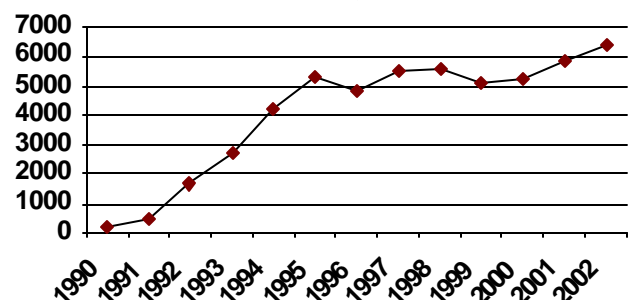
**Figure 5.2
REPORTED DOMESTIC ABUSE
ASSAULT CASES, IOWA, 1991-2002**



SOURCE: Iowa Department of Public Safety

Civil protection order filings jumped dramatically between 1990 and 2002, with a 3,264 percent increase. In 2002, 6,358 were filed. (SEE FIGURE 5.3) The increases can be attributed in part to the fact that domestic violence nationally and in Iowa has acquired a great deal of media and legal attention over the past decade, encouraging more victims to report domestic abuse.

**Figure 5.3
CIVIL ORDER PROTECTION
FILINGS IN IOWA, 1990-2002**



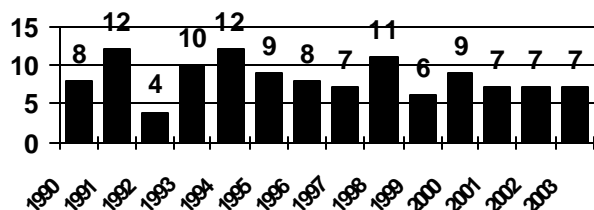
SOURCE: Iowa Judicial Department

Nonetheless, reported cases of domestic abuse represent only a small portion of those who seek help from Iowa's domestic violence crisis lines and shelters. From July 1, 2002 to June 30, 2003, 19,488 victims of domestic violence were served by programs receiving state dollars. Of those, 16,377 were adults and 3,111 were **children**.³

In 70 percent of cases reported to law enforcement in 2002, the victim suffered some sort of injury. A weapon was indicated in 91 percent of those cases.⁴ Sometimes, the result is death.

Many Iowa women have died as a result of domestic violence. From 1990 to 2003, 117 women were killed by their partners—husbands, men with whom they lived, and **men they had dated** (SEE FIGURE 5.4) More than thirty-five percent of the perpetrators committed suicide after the murder in 2002-2003.⁵ Conversely, 14 men were murdered in Iowa by their female partners during that same time period. Of those, five were reported to have had a history of abusing the woman or were physically threatening her at the time. In all domestic abuse murders in that time, 22 children were also killed at the crime scenes. Many more children witnessed the crimes.⁶

Figure 5.4
FEMALES KILLED IN DOMESTIC ABUSE CASES, IOWA, 1990-2003



SOURCE: Iowa Attorney General's Office, Crime Victim Assistance Division

Children are at risk of death and of physical and sexual abuse in families where domestic violence occurs. In 32 percent of the cases reported to law enforcement in 2002, children were present.⁷ Research shows that 50-70 percent of husbands who batter their wives also batter their children.⁸

The 2002 Iowa Youth Survey, prepared by the Iowa Division of Criminal and Juvenile Justice Planning, Iowa Department of Human Rights, reported that a range of 11 to 16 percent of students in grades 6-12 experienced physical abuse at home. (SEE FIGURE 5.5)

The 2002 report also shows that of those who had a boyfriend/girlfriend, four to eight percent of students in each grade, 6-12, have experienced physical abuse by

their partner. Overall, six percent of boys and five percent of girls have been victims of dating violence. (SEE FIGURE 5.6) In 2002, 33 domestic violence projects existed in Iowa to assist victims of domestic abuse of all ages.

Figure 5.5
PHYSICAL ABUSE AT HOME, GRADES 6-12, IOWA, 2002*



*96,849 students statewide were surveyed
SOURCE: Division of Criminal and Juvenile Justice Planning, Iowa Department of Human Rights.

Figure 5.6
DATING VIOLENCE, GRADES 6-12, IOWA, 2002*



*96,849 students statewide were surveyed
SOURCE: Division of Criminal and Juvenile Justice Planning, Iowa Department of Human Rights.

5.3 Sexual Assault

In Iowa, the number of reported sexual assaults continues to rise yearly. A violent crime, primarily an aggressive rather than sexual act, sexual assault occurs whenever a person is forced to submit to another person against her or his will. It involves physical force, psychological pressure, and/or exploitation. The majority of reported sexual assault victims are women.

In 2002, law enforcement officials saw a 150.6 percent increase from 1991 in the number of reported sex offenses. (SEE FIGURE 5.7) That included 810 reports of forcible rape, 962 reports of forcible fondling, 87 reports of sexual assault with an object, 149 reports of forcible sodomy, 51 reports of incest, and 171 reports of statutory **rape**.¹⁰ The actual number of offenses is presumed to be much higher, as many cases of sexual assault are not reported to law enforcement officials.

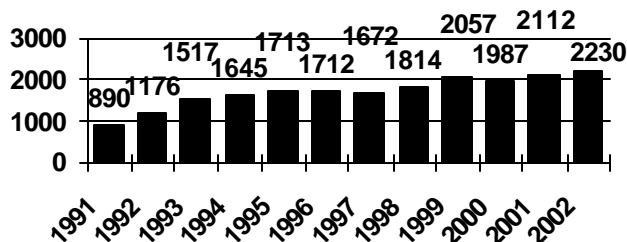
The majority of the rape victims knew their attacker in 2002. Victims identified a family member as their attacker 11.4 percent of the time, and almost two-thirds

of the victims knew the perpetrator. (SEE FIGURE 5.8) Most rapes occurred within a residence. (SEE FIGURE 5.9)

From July 1, 2002 to June 30, 2003, 3,754 adult, teenage, and child survivors of sexual assault sought services from Iowa's 31 sexual assault crisis centers. This includes 1,579 adults, 954 teens (13-17), and 861 children. ~~This was up from approximately 3,000 in 1990.~~

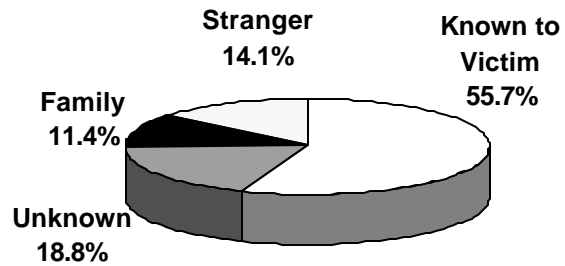
Ninety-seven percent of forcible rape victims were female.¹²

Figure 5.7
REPORTED SEXUAL ASSAULTS
IOWA, 1991-2002



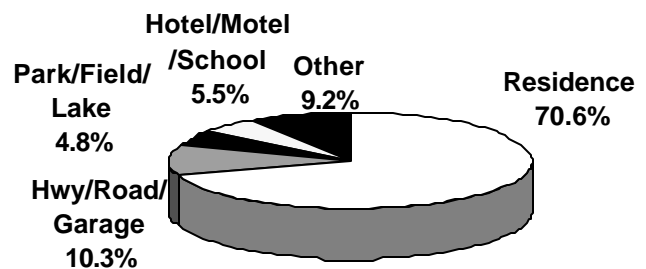
SOURCE: Iowa Department of Public Safety

Figure 5.8
REPORTED RAPE RELATIONSHIPS
IOWA, 2002



SOURCE: Iowa Department of Public Safety

Figure 5.9
REPORTED RAPE LOCATIONS
IOWA, 2002



SOURCE: Iowa Department of Public Safety

5.4 Offenders

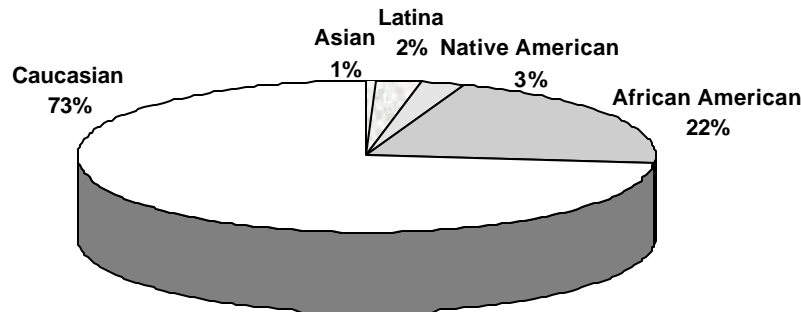
The proportion of female offenders to the total population remained fairly stable during the late 1980s and early 1990s. Over the past five years, the female population increased by 30.3 percent.¹³ (SEE FIGURE 5.10) There are grave differences in the rate of African-American women and white women who are in prison. In June of 2003, approximately 22 percent of the Iowa Correctional Institution for Women population was African-American and 73 percent white.¹⁴ These figures are staggering when considering that African-American women made up just 2 percent of Iowa's female population in 2000.¹⁵ (SEE FIGURE 5.11)

Figure 5.10
IOWA INMATE POPULATIONS AT MIDYEAR, IOWA, 1987-2003

YEAR	TOTAL	# WOMEN	% WOMEN	YEAR	TOTAL	# WOMEN	% WOMEN
1987	2,789	123	4.7%	1996	6,176	447	7.2%
1988	2,890	134	4.6%	1997	6,636	521	7.9%
1989	3,322	181	5.4%	1998	7,431	616	8.3%
1990	3,842	204	5.3%	1999	7,331	540	7.4%
1991	4,077	221	5.4%	2000	7,646	604	7.9%
1992	4,485	217	4.8%	2001	8,101	642	7.9%
1993	4,695	262	5.6%	2002	8,172	670	8.2%
1994	5,090	307	6.0%	2003	8,395	704	8.4%
1995	5,692	395	6.9%				

SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

Figure 5.11
RACIAL/ETHNIC MAKE-UP FOR IOWA
CORRECTIONAL INSTITUTION FOR WOMEN, JUNE 30, 2003



SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

Female-offender populations since the 1990s appear to be driven by trends in the following offenses: drug offenses, ~~theft, murder/manslaughter and forgery~~¹⁶. The number of female offenders serving time for these crimes has grown more rapidly than for other types of offenses. (SEE FIGURE 5.12)

Figure 5.12
LEAD OFFENSES OF IOWA CORRECTIONAL INSTITUTION FOR WOMEN INMATES
JUNE 30, 1993 AND JUNE 30, 2003

<u>Lead Offense</u>	<u>June 30, 1993</u>		<u>June 30, 2003</u>		<u>% Change, 1993-2003</u>
	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	
Drug Offense	52	24.2%	193	36.0%	271.2%
Forgery/Fraud	25	11.6%	67	12.5%	168.0%
Murder/Manslaughter	34	15.8%	57	10.6%	67.6%
Theft	35	16.3%	56	10.4%	60.0%
All Other Offenses	69	32.1%	163	30.4%	53.8%
Total Inmates	215	100.0%	536	100.0%	149.3%

SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

5.5 Juvenile Offenders

Juvenile arrests (those under 18 years of age) in 2002 totaled 21,299 in Iowa--30.8 percent female and 69.2 percent male. The highest percentage of Iowa's female juvenile were arrested for larceny and violating liquor laws.¹⁷

From FY96 to FY01, the number of females served in Iowa's juvenile detention facilities increased dramatically. FY02 saw a decrease (SEE FIGURE 5.13) The largest numbers have been in property offenses (all degrees of theft, burglary, criminal mischief, trespassing, forgery, etc.), person offenses (all degrees of assault, robbery, arson, murder, and kidnapping), justice (contempt of court, escape from custody, failure to appear, etc.) and drug offenses.¹⁸ (SEE FIGURE 5.14)

Figure 5.13
JUVENILES HELD IN DETENTION
FACILITIES BY GENDER, IOWA, 1996-2002

	<u>FY96</u>	<u>FY97</u>	<u>FY98</u>	<u>FY99</u>	<u>FY00</u>	<u>FY01</u>	<u>FY02</u>
Female	864	864	906	1,066	1,019	1,113	1,055
Male	3,683	3,929	4,379	4,147	4,275	4,129	3,735
Total	4,547	4,793	5,285	5,213	5,294	5,242	4,790

SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

Figure 5.14
FEMALE JUVENILE OFFENDERS BY OFFENSE, IOWA, 1996-2002

	<u>FY96</u>	<u>FY97</u>	<u>FY98</u>	<u>FY99</u>	<u>FY00</u>	<u>FY01</u>	<u>FY02</u>
Other	11	24	15	15	0	0	7
Person	230	246	280	325	345	385	415
Sex	4	0	2	3	0	3	5
Drug	65	77	70	82	115	114	114
Public Health	26	47	39	33	25	41	37
Justice	43	45	69	128	109	118	57
Morality	3	3	0	3	3	4	6
Traffic	10	12	14	26	30	27	13
Property	460	408	409	446	381	415	398
Weapons	12	2	8	5	11	6	3
Total	864	864	906	1066	1019	1113	1055

SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

5.6 Forward-looking Strategies

- In response to the dramatic increase in drug-related crimes in the state of Iowa, there is a serious need for more drug abuse treatment programs.
- Funding and support for improved educational and vocational training for women is needed throughout Iowa's correctional system. Training for women and men needs to include parenting education with follow-up after release by community correctional programming and referral/support agencies. Furthermore, a task force needs to be established to examine treatment and equality of opportunity in education and training programs for women throughout the correctional system.
- Domestic abuse programs are understaffed. Programs require skilled staff and volunteers to be available on crisis lines and to work in person, 24 hours every day. Many programs respond to domestic abuse victims at hospitals, clinics, and police stations.
- During the past two years, domestic violence and sexual assault outreach offices have closed, especially in rural communities, due to decreased state money. These projects need full and continued funding.
- Training should be mandated for criminal justice

personnel in victim-related issues.

- To meet the increasing needs of females involved with or at risk for involvement with the juvenile justice system, advocacy is needed for gender-specific programming on multiple levels as identified in the Iowa Commission on the Status of Women's *Providing Gender-Specific Services for Adolescent Female Offenders: Guidelines and Resources*.
- The Equality in the Courts Task Force, which investigated racial/ethnic and gender bias in Iowa's court system, reported in 1993 one consistent finding: gender and race bias poses a problem for women and minorities. Members of minority groups received harsher treatment in the court system. Educational programs should continue to incorporate materials on gender and racial/ethnic bias in courts. Training is needed for judges, attorneys, court personnel, and corrections/community-based supervision personnel.¹⁹
- Sentences to community-based programs as an alternative to prison, particularly for mothers who have been convicted of nonviolent crimes, should be increased.
- State funding should be made available for a full-time position to coordinate, develop, and manage legal assistance to meet the needs of low-income women.

¹Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 2002.

²Bureau of Justice Statistics, *Intimate Partner Violence and Age of Victim, 1993-2001*, February 2003.

³Crime Victim Assistance Division, Iowa Department of Justice.

⁴Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 2002.

⁵Crime Victim Assistance Division, Iowa Department of Justice.

⁶*Ibid.*

⁷Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 2002.

⁸Pagelow, "Effects of Domestic Violence on Children and Their Consequences for Custody and Visitation Arrangements," *Mediation Quarterly*, 1990, p. 347 quoted by *Final Report of the Supreme Court Task Force on Courts and Communities' Response to Domestic Abuse, State of Iowa*, August 1994, p. 93.

⁹Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights, *2002 Iowa Youth Survey*.

¹⁰Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 2002.

¹¹Crime Victim Assistance Division, Iowa Department of Justice.

¹²Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 2002.

¹³Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights.

¹⁴Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights.

¹⁵State Data Center, Division of Library Services, Department of Education.

¹⁶Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights.

¹⁷Iowa Department of Public Safety.

¹⁸Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights.

¹⁹*Final Report of the Equality in the Courts Task Force Executive Summary*, February 1993.